IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Criminal Writ Petition No. 193 (M/B) of 2006

Dinesh Chandra Dhasmana
S/o Sri Shambhu Prasad Dhasmana
R/o Village Nai (Madalia)
Patti Pinglapakha Tehsil Chaubattakhal
District Pauri Garhwal .....Petitioner

Versus

State of Uttaranchal & others .....Respondents

Sri Anil Dabral, learned counsel for the petitioner

Hon'ble M.M. Ghildiyal, J.
Hon'ble B.C. Kandpal, J.

This writ petition has been filed for issue a writ in the nature of certiorari for quashing he First Information Report dated 18.01.2006 (Annexure No. 1 to the writ petition) under Section 353,504,506 I.P.C. registered in Case Crime No. 1 of 2006 at Patti Patwari Ringwarsyu-2, District Pauri Garhwal.

2. Heard Sri Anil Dabral, learned counsel for the petitioner, Sri D.K. Sharma, learned G.A. for the State and perused the record.

3. We are of the view that a prima facie case, on the basis of the First Information Report is made out against the petitioner. We are not supposed to embark upon an inquiry with regard to the reliability of the evidence, where the evidence is incomplete and hazy. The writ petition lacks merit and is liable to be dismissed.

4. Accordingly, the petition is dismissed, in- limine.

5. However, in case if the petitioner applies for bail before the court below, his bail application shall be disposed of expeditiously.

(B.C. Kandpal, J.) **(M.M. Ghildiyal, J.)**

27.02.2006
ASWAL